

FILED

DEC 12 2017

LW PROPER, Se.

UNITED STATES DISTRICT COURT

TIMOTHY W. PAIGE

EASTERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UW4874, 5-C-34

DEPUTY CLERK

550 6th St.

28 U.S.C. 1331

Oakland, CA 94607

42 U.S.C. 1983

TIMOTHY W. PAIGE

V. PLAINTIFF,

2:17-cv-02594-DB

U.S.P. CANAAN, PENNSYLVANIA

BUREAU OF PRISON

DEFENDANT.

COMPLAINT

To the Honorable Judge, Hon L. Munley of the United States of America in the Eastern District Courts of California.

Plaintiff, Timothy W. Paige request of the courts to file petition, violations 1983 civil actions against defendants, said parties for the following: callous indifference, defamation of character, cruel and unusual punishment, Negligence, breach of duty, disorderly conduct.

(Estelle vs. Gumble) U.S. Sup. ct. 8th amendment for the deprivation of rights secured in the United States Constitution under the color of state and federal law.

Just Trial Demander, Fed. Rule 37, F.R. CIV. Procedure.

STATEMENTS OF FACTS

As of April, 2016 in the Eastern District Court of California, in the United States of America in Sacramento, California, Timothy W. Paige xref. 1811525 was sentenced to a term of 6 months B.O.P. on a violation 841 U.S.C. before the Honorable Judge, Troy L. Nunley, and attorney, Scott L. Tedmon. The Probation assessment of a \$100.00 restitution was paid, and no warrants or dispositions to address; the custody status (Med.) recommendation FCI Fairton, NJ. and RDAP. I, Timothy W. Paige was transferred by the U.S. Marshalls from Sacramento County Jail to wear personal properties, all blue Air Jordan Hoodie (3xl), blue Nike socks, Air Jordan T-shirt (3xl), Hanes boxers (3xl 42), Air Jordan Shorts (3xl), Nike Air Max shoes (9 1/2) Navy blue. The U.S. Marshalls transferred me to Putnam, NY. B.O.P. custody. As to following procedures and policies, I was instructed to fill-out a inmates withdrawal to request all the following listed, personal properties for \$20.00 be addressed and mailed to attorney, Ms. Carmen E. Butler 1007 7th Street, Suite 100 Sac, CA. 95814 May, 2016 the U.S. Marshalls transferred me to USP Canaan (High) custody status (GP) general population. USP Canaan was on lockdown, modified program. I went before Unit Team, Gambone to advise him of the custody and classification error by Bureau of Prisons and no assistance was granted.

1 I was classified by the Case Manager of Facility B.
 2 and provided a print-out by the court of proof that
 3 the assessments fees was paid and disclosed errors
 4 of negligence by classification calculations for
 5 appropriate housing, transferred to a FCI (med.) custody.
 6 The Case Manager alleged that I had fees and warrants.
 7 As to following procedures and policies of USP Canon,
 8 Informally, I addressed matters of concerns to the (AW)
 9 Associate Warden, not to grant no assistance. I contacted
 10 attorney, Scott L. Tedmon and addressed the B.O.P. by
 11 "B.P. 8, B.P. 9, Administrative Remedies," and provided said copies to
 12 the Eastern District Courts, to the Hon. Troy L. Nunley, and probation
 13 June, 2010. I observed Unit Team, and Case Manager, allow
 14 an inmate be in a situation, which 2 or more inmates assaulted
 15 the inmate over a cell (see audio recorded). I was to be enrolled
 16 in RDAP by Sup. Cook, a female staff denied me, and I filed a
 17 B.P. 8, & B.P. 9, I was informed the staff would place me in RDAP
 18 if the Administrative Remedies wasn't addressed, so I resolved it,
 19 but staff manipulated the situation not to be enrolled. July, 2010
 20 an inmate advised me that staff implicated that I was
 21 making problems, meaning writing-up staff, something in regards
 22 to paperwork. I felted compromised, position of a indirect threat
 23 for my well-being and safety.
 24

1 August, 2016 to avoid being involved in disruptive behavior
 2 or negative situations with staff or any inmates alike.
 3 I informed the Lt. that my safety was in jeopardy and staff
 4 is not assisting. I was re-housed to (SHU) security housing unit,
 5 Sept, 2016 upon being housed in (SHU) another inmate was
 6 housed with me, as a cellmate. He advised the C.O./staff
 7 that he did not want to be housed in the cell. He was placed
 8 in restraints and housed in the front cage. The morning shift
 9 C.O./staff and other staff at the Mrs. Sam. approached me to be
 10 awakened, placing me in restraints to push me against
 11 the wall, threatening me, hitting me, to state "this is not Cali-
 12 fornia, shouting that I'm a snitch," making me announce to
 13 the tier, why I was in (SHU). They unrestrained my celly to
 14 tell him to physically assault me but he did not and they
 15 made him get in the shower, as they unhandcuffed me.
 16 Sometime they disregarded to feed me. October, 2016
 17 I received a notice from Ms. Carmen E. Butler that the
 18 properties delivered was not my property. I addressed
 19 matters to URP Canada, and the B.O.P. Rikers, NY. by BP8, BP9
 20 I sent properties to the B.O.P. by Priority Mail
 21 with Tort Claim form, no compensation was granted.
 22 Each day and every night, I was in fear for my life, until
 23 December, 2016 of being transferred.
 24

Damages Sought

B.O.F.

CLIP Camcorder

B. Unit team Crankcase

Case Manager

Associate warden

Pris.

The following are being sued for lost of liberty,
grief, mortification, stress, humiliation, pain, and suffering,
breach of security, and emotional trauma,
loss of properties.

To their capacity for the sums \$4,000,000.00 each
\$4,000,000.00 in their individual capacity,
compensatory, punitive, and general damages.

I execute the foregoing true and correct
pursuant to 28 U.S.C. 1746 in Pro Per, Se.

Date: 11-28-2017

L. Page

Timothy W. Page
LMA874 5-C-H
550 6th Street
Oakland, CA 94607

JURY TRIAL DEMAND Rule 37, F.R. CIV. PROC.